

## **REMARKS/ARGUMENTS**

Claims 1-14 are pending in the application. Claims 1 and 4-14 have been amended. In view of the following, all of the claims are in condition for allowance. If, after considering this response, the Examiner does not agree that all of the claims are allowable, then the Examiner is requested to schedule a teleconference with the Applicant's attorney to further the prosecution of the application.

### **Objection to claims 4-12**

Claims 4-12 have been amended to overcome this objection.

### **Rejection of claims 1-12 under 35 U.S.C. 112, second paragraph**

Claims 1 and 4-12 have been amended to correct informalities.

### **Rejection of claims 1-3 and 13-14 under 35 U.S.C. 102(b) as being anticipated by Koch (US 6,153,946)**

#### **Claims 1 and 13**

Claims 1 and 13, as amended, recite each load operable to be mounted in a rack location, and each power source operable to be mounted in a rack location not having a load.

For example, referring, e.g., to paragraphs 4-6, 21, 23 and 39 of the present application, each computer system (or load) and each power source may be mounted in a rack (for example, for use in the Telecom industry). Each rack location has a preset width (for example, 19 inches), and a height unit referred to as a "U". It should be noted that each load is a separate device from each power supply, and that each rack location can accommodate either a load device or a power supply device, but not both.

Koch, on the other hand, does not disclose each load operable to be mounted in a rack location, and each power source operable to be mounted in a rack location not having a load. Instead, Koch simply discloses devices (14, 16, 18, 88, 90, 92) each having both a device circuit and a power supply. As a result, each device circuit (28, 30, 32) is paired with a corresponding power supply (22, 24, 26) inside the same device

(14, 16, 18). Thus, if each device (14, 16, 18) is to be mounted in a rack, then its corresponding device circuit (28, 30, 32) and power supply (22, 24, 26) must occupy the same rack location. After reviewing Koch in its entirety, the Applicant's attorney is unable to find any mention of each load being in a separate device from each power supply, or each load being mounted in a different rack location from each power supply. Therefore, Koch does not satisfy the limitations of claim 1.

#### **Claims 2-3**

Claims 2-3 are patentable by virtue of their dependency from independent claim 1.

#### **Claim 14**

Claim 14, as amended, is patentable for reasons similar to those recited above in support of the patentability of claims 1 and 13.

#### **Rejection of claims 7-9 under 35 U.S.C. 103(a) as being unpatentable over Koch in view of Slade (US 5,861,684)**

Claims 7-9 are patentable by virtue of their dependency from independent claim 1.

#### **Provisional double-patenting rejection of claims 1-2, 5-8 and 12-14**

The Applicant's attorney notes the Examiner's provisional double-patenting rejection of claims 1-2, 5-8 and 12-14 and will respond to this rejection in the appropriate manner at such time as the allegedly conflicting claims are allowed.

## CONCLUSION

In light of the foregoing remarks, claims 1-14 are in condition for allowance, which is respectfully requested.

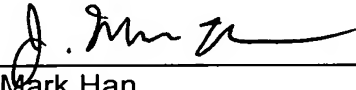
In the event additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If, after considering this response, the Examiner does not agree that all of the claims are allowable, then it is respectfully requested that the Examiner contact the Applicant's attorney at (425) 455-5575.

DATED this 3rd day of October, 2006.

Respectfully submitted,

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